

PERMIT NO: WAG – 991000

Coverage Date:

Issuance Date: April 10, 2002

Effective Date: May 10, 2002

Expiration Date: May 10, 2007

IRRIGATION SYSTEM AQUATIC WEED CONTROL
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WASTE DISCHARGE GENERAL PERMIT

State of Washington
Department of Ecology
Olympia, Washington 98504-7600

In compliance with the provisions of
Chapter 90.48 Revised Code of Washington as amended
and
The Federal Water Pollution Control Act as amended
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

Until this permit expires, is modified or revoked, Permittees that have properly obtained coverage by this permit are authorized to discharge to waters of the state in accordance with the special and general conditions that follow.

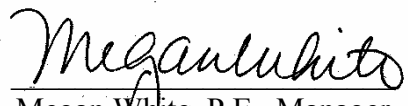

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SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

Permit Section	Submittal	Frequency	Submittal Date
S2	Annual Monitoring Plan Option1	Annually	(see S2)
S3.A	Discharge Monitoring Report for Option 2	Monthly April - October	
S3.A	Annual Monitoring Report for Option 1	Annually	February 1
S3.B	Herbicide Application Report	Annually	February 1
P1	Legal Notice Submittal	Annually	February 1
S3.H	Noncompliance Notification	As necessary	
S6	Progress Report for Compliance Schedule	Annually	February 1
S5.	Integrated Aquatic Vegetation Management/Best Management Practices Plan	1/permit cycle	November 1, 2003
S7	Spill Plan	1/permit cycle	February 10, 2003
G15.	Notice of Change in Authorization	As necessary	
G4.	Permit Application for Substantive Changes to the Discharge	As necessary	
G14.	Engineering Report for Construction or Modification Activities	As necessary	
G18.	Application for Permit Renewal	1/permit cycle	November 10, 2006
G8	Notice of Permit Transfer	As necessary	

PERMIT COVERAGE

C1. ACTIVITIES COVERED

Every irrigation district or irrigation water supplier who applies herbicides to water in irrigation canals or ditches that flows to natural surface waters of the state must apply for and obtain coverage under this general permit unless those activities are covered under an individual NPDES permit, or are in compliance with FIFRA requirements and exempt under the provisions of the NPDES permit exemption for irrigation return flows.

C2. GEOGRAPHIC AREA COVERED

This general permit covers application of herbicides in irrigation supply systems anywhere in the entire state of Washington. The specific areas where aquatic weed control activities are covered are described and limited by each application for coverage.

C3. HOW CAN COVERAGE BE OBTAINED

1. Existing Irrigation Supply Systems Requesting Coverage

Notify the Department by submitting a completed application for coverage no later than 90 days after the issuance date of this general permit. Unless the Department responds in writing to the notification, coverage of a discharger under this permit will commence on the effective date of the permit.

2. New Irrigation Supply systems or those seeking coverage after [90 days after issuance]

- a. Notify the Department by submission of a completed application form requesting coverage under this permit at least 90 days prior to the planned activity that will result in the discharge to waters of the state.
- b. Publish twice in a local newspaper of general circulation a notice that an application for coverage has been made pursuant to Section 173-226-130(5) WAC. This notice shall specify the last day of the 30 day public comment period.
- c. At the end of the 30 day comment period, the Department will accept the application and review all comments prior to making a determination on whether to grant permit coverage.

- d. The Department intends to notify applicants by mail of their status concerning coverage under this permit. If the applicant does not receive notification of the coverage decision from the Department, coverage under this permit will commence on the 31st day following the Department's acceptance of an application form.

C4. HOW COVERAGE MAY BE TERMINATED

Grounds for termination of coverage in addition to that found in G5, G16, and G20 include change in regulatory status that indicates that the activity should not be subject to CWA Section 402. Regulatory status for a permittee under this general permit will be determined by the Department based on new information that demonstrates how the permitted activity should not be regulated under CWA Section 402.

SPECIAL CONDITIONS

S1. DISCHARGE LIMITATIONS

Beginning on the effective date of this permit and lasting through the expiration date, the Permittee is authorized to discharge aquatic herbicides which are limited in this permit into irrigation conveyance systems subject to following label directions and applicable state and federal laws and rules regarding pesticides and complying with the conditions of this permit.

A. Temporary Water Quality Modification

The application of herbicides allowed by this permit to control aquatic weeds in the irrigation water conveyance system is allowed so long as the conditions of this permit are satisfied and the exceedance of water quality criteria is limited to the vicinity of the herbicide application and to the minimum time necessary to accomplish the desired aquatic pest control objectives. This temporary water quality modification is allowed only in the confines of the irrigation conveyance system and not in natural waters.

B. Residual Wastes to Natural Waters

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit.

The discharge of any of the following pollutants at a level in excess of that identified and authorized by this permit shall constitute a violation of the terms and conditions of this permit.

No adjuvants shall be used by the Permittee unless specifically allowed through this permit.

The following limitations are to be complied with in accordance with the schedule contained in S6. The points of compliance with these limitations are at monitoring points within or at the terminus of the irrigation system that represent water exiting the irrigation system and entering natural waters.

Parameter	Maximum daily concentration
Copper, dissolved	25 ug/l
acrolein	21 ug/l
xylene	10 mg/l
The maximum daily limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. The maximum daily discharge is the average measurement of the pollutant over the day.	

For this general permit only, the points of compliance are at 'natural waters' located where surface water courses existed prior to the alteration of water drainage and creation of reclamation and irrigation projects.

S2. MONITORING REQUIREMENTS

- A. The permittee shall choose either option 1 or option 2 during permit years 2002, 2003, and 2004. The permittee shall follow the option 2 requirements in permit years 2005 and 2006.

1. Option 1) Annual Monitoring Plan

The permittee choosing this option shall submit a plan for monitoring a representative sampling of herbicide application sites during the upcoming aquatic weed control season. The permittee may participate in a group monitoring plan and implementation in lieu of an individual monitoring plan. Annual monitoring plans shall be submitted no later than February 1 of each year except for the year 2002 in order to satisfy this condition. Annual monitoring plans for the 2002 season shall be submitted by May 1, 2002. The plans will be subject to approval by the Department.

Monitoring of application sites selected and accepted in the monitoring plan shall be performed by the permittee(s) as stated in the monitoring plan. The annual monitoring plan shall be devised so that alternative methods of application, different types of treated locations, and concentration and transport of herbicides after application, relative herbicide persistence in the water column, or plant species surveys are measured in a representative sampling of applications. Special studies of herbicide degradation and volatility may be performed to satisfy the monitoring requirement as directed by the Department.

2. Option 2) Monitoring at Selected Sites

The permittee choosing this option shall monitor all herbicide applications where the treated water eventually flows to natural waters.

The herbicide(s) applied shall be monitored according to the sampling schedule, Table 1

Sampling Schedule Table 1

Monitoring site	Parameter	MDL Units	Minimum Sampling Frequency	Sample Type
outfall to natural waters	Flow		3 times per treatment*	Measurement
“	Copper, total dissolved	5 ug/l	3 times per treatment *	grab
	Hardness (only when monitoring copper)		Concurrently with copper sampling	grab
“	Acrolein	2 ug/l	3 times per treatment *	grab
“	Xylene	1 mg/l /	3 times per treatment *	grab
*On the hour treated flow is expected to reach the sampling site, and 1-2 hours before and 12 to 24 hours later.				

The minimum sampling frequency may be reduced if certain conditions are met and written approval is granted by the Department. The objective of the sampling in option 2 is to quantify the amount of the herbicide, if any, passing into natural waters. A permittee may provide information to the Department that indicates assurance that the travel time from location and circumstances of flow rate for a herbicide's potential maximum concentration at the outlet to natural water is known and reliable. If approved by the Department, the minimum sampling frequency may be reduced but no fewer than once per treatment in the years 2002 through 2004, and no fewer than twice annually for each treatment site after the 2004 treatment season.

B. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters.

Sampling and analytical methods used to meet the monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest

revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Department). Acrolein testing may follow the procedures of Solid Waste Method 8260.

C. Flow Measurement

Appropriate flow measurement devices or methods consistent with accepted industry practices shall be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows. If devices are used, they shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations and at a minimum frequency of at least one calibration per year. Calibration records shall be maintained for at least three years. Instantaneous flow will be recorded when a sample is taken and reported to the Department.

S3. REPORTING AND RECORDKEEPING REQUIREMENTS

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

All laboratory reports providing data for organic and metal parameters shall include the following information: sampling date, sample location, date of analysis, parameter name, CAS number, analytical method/ number, method detection limit (MDL), laboratory practical quantitation limit (PQL), reporting units, and concentration detected. Acrolein monitoring data shall include the time of sampling, time of analysis and method of sample transport.

The report(s) shall be sent to the Aquatic Pesticides Team, Water Quality Program, Department of Ecology, PO Box 47600, Olympia, Washington 98504-7600.

A. Discharge Monitoring Reports

1. Reporting of Data from Monitoring Option 1

Monitoring data that is generated from sampling and testing in accordance with annual monitoring plans shall be submitted no later than February 1 of the following year. Monitoring data shall be submitted in a format acceptable to the Department. The report shall be signed and certified by the responsible official.

If there was no treatment with aquatic herbicides during a given monitoring period, submit the report as required with the words "no discharge" entered in place of the monitoring results.

2. Reports of data from Monitoring option 2

The first monitoring period begins on the effective date of the permit. Monitoring results shall be submitted monthly. Monitoring data obtained during each monitoring period shall be summarized, reported, and submitted on a Discharge Monitoring Report (DMR) form provided, or otherwise approved, by the Department. DMR forms shall be received no later than the 45th day of the month following the completed monitoring period, unless otherwise specified in this permit. The report(s) shall be sent to the Aquatic Pesticides Team, Water Quality Program, Department of Ecology, PO Box 47600, Olympia, Washington 98504-7600.

Discharge Monitoring Report forms must be submitted monthly for the treatment months of April through October whether or not the facility was discharging. If there was no treatment by aquatic herbicides during a given monitoring period, submit the form as required with the words "no discharge" entered in place of the monitoring results.

B. Annual Treatment Reports

The Permittee shall keep complete application records on a report form. A summary of herbicide application records shall be submitted to the Department no later than February 1 of each year.

C. Weekly Notification of Treatments

The Permittee shall telephone, Email or FAX a list of planned treatments to Ecology's appropriate regional office prior to the following week's treatments. This list shall contain the names and locations of the treatment sites.

D. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three (3) years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

E. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place, method, and time of sampling or measurement; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) the individual who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

F. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures and sampling locations specified under Condition S2. of this permit, then the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Permittee's DMR.

G. Noncompliance Notification

In the event the Permittee is unable to comply with any of the terms and conditions of this permit due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and clean up unauthorized discharges or otherwise stop the noncompliance, correct the problem and, if applicable, repeat sampling and analysis of any noncompliance immediately and submit the results to the Department within thirty (30) days after becoming aware of the violation.
2. Immediately notify the Department of the failure to comply.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

S4. OPERATION AND MAINTENANCE

The Permittee shall, at all times, properly operate and maintain all facilities or systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems, which are installed by a Permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

S5. ENGINEERING REPORT (FACILITY PLAN) AND INTEGRATED VEGETATION MANAGEMENT PLAN

No later than March 1, 2003 two copies of an approvable engineering report shall be prepared and submitted by the Washington State Water Resources Association (WSWRA) in accordance with the agreed scope of work and submitted to the Department for review and approval.

Any interested person may request, in writing, permit modification based on new information not available at the time of permit issuance. The Department will determine if permit modification is justified.

The permittee shall submit a copy of an Integrated Vegetation Management Plan (IVMP) to the Department on or before November 1, 2003 for review and acceptance. The IVMP may be based on the results of the engineering report. The IVMP shall be implemented after acceptance from the Department.

Plans and Specifications

No later than one year after the approval date of the engineering report, if treatment to reduce or eliminate herbicide residues is selected as a method to achieve compliance, the Permittee shall submit two copies of approvable plans and specifications in accordance with WAC 173-240 to the Department for review and approval.

S6. COMPLIANCE SCHEDULE

The permittee shall comply with the effluent limitations in S1 no later than April 1, 2005. Progress in meeting these limits shall be described in the Annual Report submitted each year no later than February 1.

S7. SPILL PLAN FOR HERBICIDE STORAGE AND APPLICATION SITES

Within nine months after the effective date of the permit, the Permittee shall submit to the Department a spill control plan for the prevention, containment, and control of spills or unplanned discharges from the application, storage and transportation of herbicides. The Permittee shall review and update the Spill Plan, as needed, and submit an update in the year 2005. Changes to the plan shall be sent to the Department. The plan and any supplements shall be followed throughout the term of the permit.

The updated spill control plan shall include the following:

- A description of the reporting system which will be used to alert responsible managers and legal authorities in the event of a spill.
- A description of preventive measures and facilities (including an overall facility plot showing drainage patterns) which prevent, contain, or treat spills of these materials.
- A list of all herbicides used, processed, or stored at the facility that may be spilled into state waters.

PUBLIC NOTICE PROCEDURES

P1. LEGAL NOTICE PROCEDURES

The Permittee shall publish, prior to each treatment season, a notice in the legal notices section of a local newspaper of general circulation (or nearest regional paper if a local paper does not exist)

These legal notices shall be published prior to the first herbicide application of the season. This notice shall include:

- A. The purpose of the herbicide application;
- B. A general description of the canals to be treated;
- C. The herbicide(s) to be used and their active ingredient(s);
- D. The approximate date(s) of treatment;
- E. The approximate location(s) to be treated;
- F. Any water use restrictions or precautions;
- G. The posting procedure; and
- H. The names and phone numbers of the Permittee and the appropriate Ecology regional office.

A dated copy of the published notice or an affidavit from the legal Department of the newspaper shall be mailed or faxed to the appropriate Ecology regional office. This form must be submitted to the appropriate Ecology Office no later than February 1 of the following year, and be mailed or hand delivered to Ecology immediately upon request.

In addition, notice can also be provided by general newsletters, special notices enclosed in the annual assessments and individual letters.

P2. POSTING PROCEDURES:

The Permittee shall post signs at all irrigation canal and drainage ditch accesses within one mile of the point of application for acrolein or xylene that are normally available to the public (such as public road crossings of canals or drainage ditches). The Permittee shall post and maintain all signs prior to the initial application. The Permittee shall use good faith and reasonable effort to ensure that posted signs remain in place throughout the treatment season.

The Permittee shall post and maintain signs as follows:

- A. The signs shall include but not be limited to the following information:

1. Name and telephone number of the irrigation district;
2. Access sites are private property, not to be trespassed upon; and
3. Water treatments using {the herbicide} to control aquatic plants may occur during the irrigation season.

P3. VARIATIONS TO THIS PROCEDURE

The Permittee shall obtain advance written approval from the Department before making variations to the posting and notification procedures listed in this Permit.

GENERAL CONDITIONS

G1. DISCHARGE VIOLATIONS

The Permittee shall at all times be responsible for continuous compliance with the terms and conditions of this general permit. The Permittee shall be responsible for compliance with any order, directive, or penalty issued by the Department.

G2. PROPER OPERATION AND MAINTENANCE

The Permittee shall at all times properly operate and maintain any facilities or systems of control to achieve compliance with the terms and conditions of the general permit. Where design criteria have been established, the Permittee shall not allow flows or waste loadings to exceed approved design criteria or approved revisions thereto.

G3. RIGHT OF ENTRY

The Permittee shall allow an authorized representative of the Department, upon the presentation of credentials and such other documents as may be required by law, at reasonable times:

- A. To enter upon the Permittee's premises in which an effluent source (discharge) is located or in which any records are required to be kept under the terms and conditions of this general permit;
- B. To have access to and to copy at reasonable costs, any records required to be kept under terms and conditions of the permit;
- C. To inspect any monitoring equipment or method of monitoring required in this general permit; and/or

G4. NOTIFICATION OF CHANGE IN COVERED ACTIVITIES

The Permittee shall submit a new Application for Coverage to the Department when facility expansions, production increases, or process modifications will (1) result in new or substantially increased discharges of pollutants or a change in the nature of the discharge of pollutants or (2) violate the terms and conditions of this general permit.

G5. REVOCATION OF COVERAGE

Pursuant to Chapter 43.21B RCW and Chapter 173-226 WAC, the Director may require any discharger authorized by this general permit to apply for and obtain coverage under an

individual permit or another more specific and appropriate general permit. Cases where revocation of coverage may be required include, but are not limited to the following:

- A. Violation of any term or condition of this general permit.
- B. Obtaining coverage under this general permit by misrepresentation or failure to disclose fully all relevant facts.
- C. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.
- D. Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090.
- E. A determination that the permitted activity endangers human health or the environment, or significantly contributes to water quality standards violations.
- F. Nonpayment of permit fees or penalties assessed pursuant to RCW 90.48.465 and Chapter 173-224 WAC.
- G. Failure of the Permittee to satisfy the public notice requirements of WAC 173-226-130(5), when applicable.

Permittees who have their coverage revoked for cause according to WAC 173-226-240 may request temporary coverage under this permit during the time an individual permit is being developed, provided the request is made within 90 days from the time of revocation and is submitted along with a complete individual permit application form.

G6. GENERAL PERMIT MODIFICATION OR REVOCATION

General permits may be modified, or revoked and reissued, in accordance with the provisions of 40CFR 124.5, 40CFR 122.62, 40CFR 122.63, 40CFR 122.64, Chapter 43.21B RCW and Chapter 173-226 WAC. Grounds for modification or revocation and reissuance include, but are not limited to, the following:

- A. When a change that occurs in the technology or practices for control or abatement of pollutants applicable to the category of dischargers covered under this general permit.
- B. When effluent limitation guidelines or standards are promulgated pursuant to the FWPCA or Chapter 90.48 RCW for the category of dischargers covered under this general permit.
- C. When a water quality management plan containing requirements applicable to the category of dischargers covered under this general permit is approved.
- D. When information is obtained which indicates that cumulative effects on the environment from dischargers covered under this general permit are unacceptable.

G7. REPORTING A CAUSE FOR REVOCATION OF COVERAGE

A Permittee who knows or has reason to believe that any activity has occurred or will occur which would constitute cause for revocation under condition G5 or 40 CFR 122.62 shall report such information to the Department so that a decision can be made on whether action to revoke coverage under this general permit will be required. The Department may then require submission of a new Application for Coverage under this or another general permit or an application for an individual permit. Submission of a new application does not relieve the Permittee of the duty to comply with all the terms and conditions of the existing general permit until the new application for coverage has been approved or an individual permit has been issued..

G8. TRANSFER OF PERMIT COVERAGE

Coverage under this general permit is automatically transferred to a new discharger if:

- A. A written signed agreement between the old and new discharger containing a specific date for transfer of permit responsibility and coverage is submitted to the Department; and
- B. The Department does not notify the old and new discharger of its intent to revoke coverage under the general permit. If this notice is not given, the transfer is effective on the date specified in the written agreement between the old and new discharger.

G9. TOXIC POLLUTANTS

If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under section 307(a) of the Clean Water Act for a toxic pollutant and that standard or prohibition is more stringent than any limitation upon such pollutant in this general permit, the Department shall institute proceedings to modify or revoke and reissue this general permit to conform to the new toxic effluent standard or prohibition.

G10. OTHER REQUIREMENTS OF TITLE 40 CODE OF FEDERAL REGULATIONS

All other applicable requirements of 40 CFR 122.41 and 122.42 are incorporated in this general permit by reference.

G11. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in the permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

All persons applying pesticides under this Permit should be aware of the following regulations:

- A. The pesticide APPLICATOR regulations as required by the Washington Department of Agriculture (RCW 17.21, RCW 15.58, and WAC 16-228).
- B. Public access policy and Hydraulics Code regulations as required by the Washington Department of Fish & Wildlife (RCW 77.55.100, WAC 220-110).
- C. Shorelines regulations as required by the local city or county (RCW 90.58).
- D. All applicable regulations of other agencies. Check local ordinances for compliance.

G12. ADDITIONAL MONITORING REQUIREMENTS

The Department may establish specific monitoring requirements in addition to those contained in this general permit by administrative order or permit modification.

G13. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or pollution control of wastewaters shall not be resuspended or reintroduced to the final effluent stream for discharge to state waters. Such removed substances shall be lawfully disposed in an appropriate manner and shall comply with Chapter 173-303 WAC and Chapter 173-304 WAC.

G14. USE OF ACCREDITED LABORATORIES

All monitoring data, except for flow, temperature, settleable solids, conductivity, pH, and internal process control parameters, shall be prepared by a laboratory registered or accredited under the provisions of, Accreditation of Environmental Laboratories, Chapter 173-50 WAC. Conductivity and pH shall be accredited if the laboratory must otherwise be registered or accredited. Soils and hazardous waste data are exempted from this requirement pending accreditation of laboratories for the analysis of these media by the Department.

G15. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed and certified.

- A. All permit applications shall be signed by either a responsible corporate officer of at least the level of vice president of a corporation, a general partner of a partnership, the proprietor of a sole proprietorship or ranking elected official.

- B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
1. The authorization is made in writing by a person described above and submitted to the Department.
 2. The authorization specifies either an individual or a position having responsibility for the overall operation of a regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
- C. Changes to authorization. If an authorization under paragraph B.2. above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph B.2. above must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiries of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

G16. REQUESTS TO BE EXCLUDED FROM COVERAGE UNDER A GENERAL PERMIT

Any discharger authorized by this general permit may request to be excluded from coverage under this general permit by applying for an individual permit. The discharger shall submit to the Director an application as described in WAC 173-220-040 or WAC 173-216-070, whichever is applicable, with reasons supporting the request. The Director shall either issue an individual permit or deny the request with a statement explaining the reason for the denial.

G17. APPEALS

The terms and conditions of this general permit:

- A. As they apply to the appropriate class of dischargers are subject to appeal within thirty (30) days of issuance of this general permit in accordance with Chapter 43.21(B) RCW and Chapter 173-226 WAC; and
- B. As they apply to an individual discharger are subject to appeal in accordance with Chapter 43.21(B) RCW within thirty (30) days of the effective date of coverage of that discharger.

Consideration of an appeal of general permit coverage of an individual discharger is limited to the general permit's applicability or non-applicability to that discharger. Appeal of this general permit coverage of an individual discharger shall not affect any other individual dischargers. If the terms and conditions of this general permit are found to be inapplicable to any discharger(s), the matter shall be remanded to the Department for consideration of issuance of an individual permit or permits.

G18. DUTY TO REAPPLY

The Permittee shall reapply for coverage under this general permit at least one hundred and eighty (180) days prior to the specified expiration date of this general permit. An expired general permit continues in force and effect until a new general permit is issued or until the Department cancels it. Only those facilities that reapply for coverage are covered under the continued permit.

G19. TERMINATION OF INDIVIDUAL PERMITS

Any previously issued individual permit shall remain in effect until terminated in writing by the Department, except that extension of an expired individual permit (pursuant to WAC 173-220-180(5)) shall terminate upon coverage under this general permit.

G20. TERMINATION OF COVERAGE UPON ISSUANCE OF AN INDIVIDUAL PERMIT

When an individual permit is issued to a discharger otherwise subject to this general permit, the coverage under this general permit for that Permittee is terminated on the effective date of the individual permit.

G21. ENFORCEMENT

Any violation of the terms and conditions of this general permit, the state Water Pollution Control Act, and the federal Clean Water Act, will be subject to the enforcement sanctions, direct and indirect, as provided for in WAC 173-226-250.

G22. SEVERABILITY

The provisions of this general permit are severable, and if any provision of this general permit, or application of any provision of this general permit to any circumstance, is held

invalid, the application of such provision to other circumstances and the remainder of this general permit shall not be affected thereby.

G23.PAYMENT OF FEES

The Permittee shall submit payment of fees associated with this permit as assessed by the Department.